

Appl. No. : 09/608,819
Filed : June 30, 2000

REMARKS

The following remarks are responsive to the September 18, 2006 Office Action. Claims 1-4, 6-18, and 20-27 are pending in the present application. Applicant respectfully requests the Examiner to reconsider the present application in view of the following remarks.

Response to Rejection of Claims 1-4, 6, 10-12, 14-18, and 20-27 Under 35 U.S.C. § 103(a)

In the September 18, 2006 Office Action, the Examiner rejects Claims 1-4, 6, 10-12, 14-18, and 20-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0029610 of Corvin et al. ("Corvin") in view of U.S. Patent Application Publication No. 2002/0056099 of Takahashi et al. ("Takahashi"). In view of the following discussion, Applicant respectfully traverses this rejection.

Claim 1

As currently pending, independent Claim 1 recites (emphasis added):

1. A video system, comprising:
 - an input port configured to receive video data from a head end, the video data including a plurality of premium contents;
 - an output port configured to couple to a video display for displaying video data selected by a viewer;
 - a preference engine coupled to the input port and configured to track viewer selections of the video data and to create a viewer profile representing viewing preferences of the viewer;
 - a personal video recorder configured to locally store premium content from the plurality of premium contents;
 - a local storage device; and
 - a promotion module coupled to the preference engine and the output port, the promotion module responsive to the viewer profile to select at least one preferred promotion content from the plurality of premium contents, to cause the selected at least one preferred promotion content to be stored on the local storage device, and **to cause the selected at least one preferred promotion content to be retrieved from the local storage device and displayed to entice the viewer to select for viewing previously locally stored premium content associated with the selected at least one preferred promotion content.**

Applicant submits that Claim 1 includes limitations that are not disclosed or suggested by either Corvin or Takahashi. For example, neither Corvin or Takahashi disclose or suggest a promotion module which causes "the selected at least one preferred promotion content to be retrieved from the local storage device and displayed to entice the viewer to select for viewing

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previously locally stored premium content associated with the selected at least one preferred promotion content” as recited by Claim 1.

Corvin discloses a system for providing promotions with recorded programs by recording selected promotions with the recorded programs or by inserting selected promotions into a recorded program as it is played back (*see*, abstract and paragraphs 0026-0027 of Corvin). While Corvin discloses that these promotions can include movie previews (*see, e.g.*, Corvin at paragraph 0006), Applicant submits that Corvin does not disclose or suggest that these movie previews correspond to previously locally stored programs. For example, when an inserted promotion is played back while playing back a previously recorded program, the promotion can not entice the viewer to select the previously recorded program since the viewer is already watching this program. The promotion which is played back in Corvin may entice the viewer to select and watch programs or movies other than the recorded program the viewer is watching, however Corvin does not disclose or suggest that this other program is itself locally stored previously. Therefore, display of the selected promotion as taught by Corvin does not entice the viewer to select previously locally stored premium content for viewing. Thus, Corvin does not disclose or suggest a promotion module which causes the selected preferred promotion content to be displayed “to entice the viewer to select for viewing previously locally stored premium content associated with the selected at least one preferred promotion,” as recited by Claim 1 (emphasis added).

Takahashi discloses an information processing apparatus and method which stores promotion programs which correspond to ordinary programs to be subsequently broadcasted from a head end and the promotion programs are displayed as part of an electronic program guide (EPG). Thus, Takahashi does not disclose or suggest a promotion module which causes the selected preferred promotion content to be displayed “to entice the viewer to select for viewing previously locally stored programs,” as recited by Claim 1 (emphasis added).

Because neither Corvin nor Takahashi discloses or suggests “a promotion module ... to cause the selected at least one preferred promotion content to be retrieved from the local storage device and displayed to entice the viewer to select for viewing previously locally stored premium content,” as recited by Claim 1, Applicant submits that Claim 1 is patentably distinguished over the combination of Corvin and Takahashi. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of Claim 1 and pass Claim 1 to allowance.

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Claims 2-4, 6, 10-11, and 24-25

Claims 2-4, 6, 10-11, and 24-25 depend from Claim 1, so Claims 2-4, 6, 10-11, and 24-25 include all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, for at least the reasons discussed above in regard to Claim 1, Claims 2-4, 6, 10-11, and 24-25 are patentably distinguished over Corvin and Takahashi. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 2-4, 6, 10-11, and 24-25 and pass these claims to allowance.

Claim 12

As currently pending, independent Claim 12 recites (emphasis added):

12. A method of operating a video system that receives video data that includes a plurality of premium contents, the method comprising:
- creating a viewer profile representing viewing preferences of a viewer;
 - identifying premium content from the plurality of premium contents consistent with the viewer profile;
 - locally storing the identified premium content;
 - selecting a promotion content associated with the identified, locally stored premium content;
 - storing the selected promotion content on a local storage device;
 - and
 - retrieving the selected promotion content from the local storage device and **displaying the selected promotion content to entice the viewer to select for viewing the identified, previously locally stored premium content.**

For reasons similar to those described above with respect to Claim 1, Applicant submits that Claim 12 includes limitations not taught or suggested by the combination of Corvin in view of Takahashi. Applicant therefore submits that Claim 12 is patentably distinguished over the cited prior art. Applicant respectfully requests that the Examiner withdraw the rejection of Claim 12 and pass Claim 12 to allowance.

Claims 14-18, 20-23, and 26-27

Claims 14-18, 20-23, and 26-27 depend from Claim 12, so Claims 14-18, 20-23, and 26-27 include all the limitations of Claim 12 as well as other limitations of particular utility. Therefore, for at least the reasons discussed above in regard to Claim 12, Claims 14-18, 20-23, and 26-27 are patentably distinguished over Corvin and Takahashi. Applicant respectfully requests that the Examiner withdraw the rejection of Claims 14-18, 20-23, and 26-27 and pass these claims to allowance.

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Response to Rejection of Claims 7-9 Under 35 U.S.C. § 103(a)

In the September 18, 2006 Office Action, the Examiner rejects Claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Corvin in view of Takahashi, and further in view of U.S. Patent No. 6,590,979 issued to Ryan ("Ryan").

As discussed above, Corvin and Takahashi do not disclose or suggest all the limitations of Claim 1. Applicant submits that Ryan does not disclose or suggest the limitations of Claim 1 missing from Corvin in view of Takahashi. Therefore, Applicant submits that Claim 1 is patentably distinguished over Corvin in view of Takahashi and further in view of Ryan.

Each of Claims 7-9 depends from Claim 1, so each of Claims 7-9 includes all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, Claims 7-9 are each patentably distinguished over the cited prior art. Applicant respectfully requests that the Examiner withdraw the rejections of Claims 7-9 and pass these claims to allowance.

Response to Rejection of Claim 13 Under 35 U.S.C. § 103(a)

In the September 18, 2006 Office Action, the Examiner rejects Claim 13 under 35 U.S.C. §103(a) as being unpatentable over Corvin in view of Takahashi, and further in view of U.S. Patent Application Publication No. 2003/0131356 of Proehl et al. ("Proehl").

As discussed above, Corvin and Takahashi do not disclose or suggest all the limitations of Claim 12. Applicant submits that Proehl does not disclose or suggest the limitations of Claim 12 missing from Corvin in view of Takahashi. Therefore, Applicant submits that Claim 12 is patentably distinguished over Corvin in view of Takahashi and further in view of Proehl.

Claim 13 depends from Claim 12, so Claim 13 includes all the limitations of Claim 12 as well as other limitations of particular utility. Therefore, Claim 13 is patentably distinguished over the cited prior art. Applicant respectfully requests that the Examiner withdraw the rejection of Claim 13 and pass the claim to allowance.

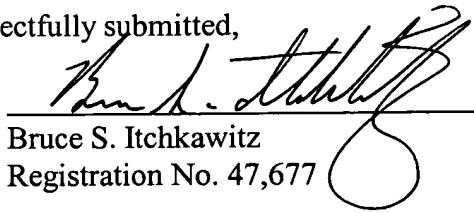
Summary

For the reasons stated above, Applicant submits that Claims 1-4, 6-18, and 20-27 are in condition for allowance, and Applicant respectfully requests such action.

Dated: 12/18/06

Respectfully submitted,

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